



Cincinnati Police Department STAFF NOTES

April 25, 2006

Colonel Thomas H. Streicher, Jr., Police Chief



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1. DONATED TIME FOR E911 OPERATOR TRACY ALSTON

E911 Operator Tracy Alston, Police Communications Section, has exhausted all of her sick and vacation balances due to a medical condition. Any Department member wishing to voluntarily donate time for Ms. Alston should submit a Form 25S to their district/section/unit commander, listing Tracy Alston's name, section, the kind of time, and the number of hours being donated. Sick time may not be donated. The donor's rank and signature must appear on the Form 25S.

2. MOTOROLA RADIO MAINTENANCE

Police Communications Section (PCS) has identified an issue with the RF adapter on the 800 MHz radio that can be prevented by conducting a periodic inspection of the unit. The RF adapter is the small $\frac{3}{4}$ inch piece located between the antenna and the radio that acts as the receiver for the public safety microphone. When the radios were first issued, the RF adapter was secured to the radio body and tightened with the wrenches supplied by Motorola. In some cases, they may not have been tightened all the way or, over time, have become loose causing the RF adapter and antenna to wobble back and forth. When this occurs, there are two metal sleeves in the RF adapter that snap off, causing either poor or no reception and transmission ability. Officers will experience a warble sound listening to the dispatcher or vice versa. Another symptom of the loose or damaged RF adapter is weak signal strength as displayed by the bar graph on the radio LED indicator. In addition to the obvious safety concerns, the RF adapters are a significant cost item and are about to come out of warranty.

In conjunction with the weekly equipment inspections, supervisors and officers are to check the antenna on the radio (not the microphone) to ensure it is secure. If the antenna is loose, use the wrenches provided to each district/section/unit to tighten the RF adapter. Prior to tightening, the microphone must be detached from the radio. If RF adapters are found to be loose and the officer is already experiencing radio problems, tightening the RF adapter may not solve the problem as the damage inside may have already occurred. If this is the case, officers must respond to PCS during normal business hours to see Ms. Marcy Lamb. After hours the officer must see the on-duty PCS supervisor.

In some cases, it is believed the RF adapter becomes loose when the microphone radio cord gets caught and is pulled away from the radio. For example, an officer proceeds through a doorway and the microphone cord gets caught on the doorknob. This may be avoided by running the microphone cord through a front belt keep to ensure the cord remains as close to the body as possible.

Although each district/section/unit received wrenches, additional wrenches may be obtained by contacting Ms. Marcy Lamb at 263-8118 or Mr. Barry Whitton at 263-8113.

3. MOUNTAIN BIKE OFFICER TRAINING CLASS

The Department will be providing a Mountain Bike Officer training class from May 22-26, 2006, at Woodland Mound Park, 8250 Old Kellogg Road, Cincinnati, Ohio, 45255. Officers participating in this training will be required to pass a physical fitness test. The test will consist of a timed 2-mile run, a 15-mile group bike ride, and the completion of the maximum amount of push ups and sit ups in one minute. The date for the physical fitness test will be announced at a later date.

Interested officers should submit a Form 17 through the chain of command no later than May 5, 2006.

4. REVIEW OF FORMS 527, ARREST AND INVESTIGATION REPORT, AND 18NC, NON-COMPLIANT SUSPECT/ARRESTEE REPORT

Recently Forms 527, Arrest and Investigation Report, were audited where an individual was arrested for Assault on a Police Officer and/or Resisting Arrest. The review raised concerns that "hard hands" may have been used during some of the arrests for which no Form 18NC, Non-compliant Suspect/Arrestee Report, was completed.

The audited forms contained language such as "struggled", "offered resistance", and "physically resisted" to describe the suspect's actions. These words are subject to individual interpretation, thus it was unclear whether force was used in these specific instances. A subject moving around or pulling away during handcuffing does not necessarily have to be subdued by the use of "hard hands", but may be charged with resisting arrest because of the struggle. To avoid uncertainty, officers must clearly describe the subject's actions when completing the narrative portion of the Form 527 and complete a Form 18NC if any type of "hard hands" were necessary.

Procedure 12.545, Use of Force, defines "hard hands" as the use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point tactics.

The use of "hard hands" requires the officer using the force to complete the Form 18NC. The following must also be completed in conjunction with the Form 18NC:

- A brief, concise narrative of the resistance met and the force used to overcome the resistance must be included in the Form 18NC.
- Attach a copy of the Form 527.
- Attach a copy of the Computer Aided Dispatch (CAD) Incident History for the incident.
- Must be submitted for supervisory review before end of the tour of duty.

If “hard hands” are needed to stop a suspect from struggling or resisting arrest, a Form 18NC is required.

Procedure 12.555, Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders, requires officers to notify a supervisor of any arrest where a subject is to be charged with “Assault on a Police Officer” or “Resisting Arrest”.

Supervisors are reminded that while reviewing an arrest involving an “Assault on a Police Officer” and/or “Resisting Arrest”, they must read the narrative of the Form 527 and question the officer if the description of the arrest does not adequately indicate whether there was a struggle requiring the use of “hard hands” or if a Form 18NC was completed.

[Attached](#) to this Staff Note is Training Bulletin 2006-2, Hard Hands – Form 18NC.

5. REVISION TO [PROCEDURE 12.110](#), HANDLING SUSPECTED MENTALLY ILL INDIVIDUALS AND POTENTIAL SUICIDES

Procedure 12.110, Handling Suspected Mentally Ill Individuals and Potential Suicides, has been revised. Officers needing information on dealing with suspected mentally ill individuals should now contact Mental Health Access Point at 558-8888, which is available 24-hours a day.

Supervisors or Mental Health Response Team officers needing to activate the Mobile Crisis Team after hours should contact them at 584-8577 and request a team leader be paged to initiate the process.

The phone numbers now contained in the procedure are current as of the revision date. Should officers encounter future problems making contact, they should call Police Communications Section for assistance in reaching University Hospital staff.

Other minor changes have been made. This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

6. REVISION OF [PROCEDURE 12.815](#), COURT APPEARANCES, JURY DUTY, AND OTHER HEARINGS

Procedure 12.815, Court Appearances, Jury Duty, and Other Hearings, has been revised. Sections have been added to address the notification for deposition hearings and Citizen Complaint Authority interviews. Other changes include updating the Change in Court Appearance process through the Employee Tracking Solution. Additionally, a minor change has been made to the process for notifying the Assignment Commissioner when changes need to be made to a previously submitted Form 664, Court Appearance Control. Officers will not call the Assignment Commissioner themselves but will request a supervisor make the requested change. Several other minor changes have been made throughout the procedure.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

7. REVISION OF PROCEDURE 13.107, EVALUATION SUPPLEMENT LOG

Procedure 13.107, Evaluation Supplement Log (ESL), has been revised. The process for entering an ESL through the Employee Tracking Solution has been added. Supervisors are reminded that ESLs must be reviewed, in person, with the employee.

When an intervention includes a referral to an outside agency (Public Employees Assistance Program, police psychologist, etc.) only the name of the agency will be listed in the ESL. The reason for the referral will be outlined in the employee's medical jacket maintained at Personnel Section. Authorized employees may access the medical jacket by contacting Personnel Section. Other minor changes have been made throughout the procedure.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

8. REVISION OF PROCEDURE 19.105, SICK/INJURED WITH PAY AND SPECIAL LEAVES

Procedure 19.105, Sick/Injured with Pay and Special Leaves, has been revised.

Supervisors are now required to scan and attach the following documents to the appropriate Employee Tracking Solution case folder prior to work-flowing a Form 91SP through the chain of command to the affected district/section/unit commander:

- Bureau of Worker's Compensation form.
- Applicable release form, i.e., Employee Health Service, hospital, or individual doctor.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

9. THANK YOU LETTERS

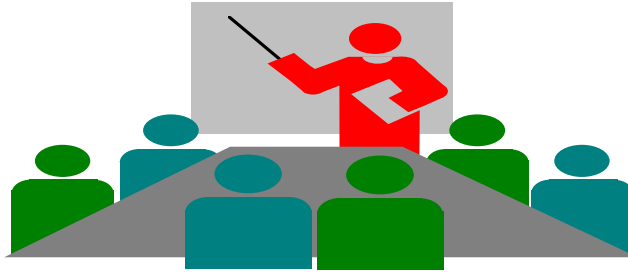
Attached to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Lieutenant Colonel Richard Janke
Captain Ken Jones
Lieutenant Kim Williams
Lieutenant Doug Ventre
Sergeant Greg Lewton
Police Officer Chip Todd
Police Officer Don Meece

Captain Gene Hamann
Lieutenant Tony Carter
Lieutenant (Ret.) Joe Hall
Sergeant Jeff Hunt
Police Officer Tim Doyle
Police Officer Shawn George

Cincinnati Police Academy

Training Bulletin



HARD HANDS - FORM 18NC

2006-02

April 2006

Purpose

Why issue this Training Bulletin?

To ensure all Department personnel know and understand Form 18NC reporting requirements in accordance with Procedure 12.545, Use of Force.

References

Cincinnati Police Procedure Manual

- 12.545, Use of Force
- 12.555, Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders

Form 18 Field Manual

Information

Department personnel are reminded that the use of “hard hands” requires a Form 18NC to be completed and processed according to procedure.

Discussion

What is the definition of “Hard Hands”?

The use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point tactics.

What form is completed and who fills it out?

When hard hands are used in making an arrest, the officers involved must complete the Form 18NC, Noncompliant Suspect/Arrestee Report.

Are there any additional reporting requirements to be completed when filling out the Form 18NC?

- A brief, concise narrative of the resistance met and the force used to overcome the resistance must be included on the Form 18NC.
- Attach a copy of the Form 527, Arrest and Investigation Report.
- Attach a copy of the Computer Aided Dispatch (CAD) Incident History for the incident.
- Must be submitted to a supervisor for review before end of the tour of duty.
- Ensure the "other reports" box is properly filled out on the Form 527 with related reports.

If "hard hands" are needed to stop a suspect from struggling or resisting arrest, a Form 18NC is required.

Are supervisors required to be notified when charging a defendant with "Assault on a Police Officer" or "Resisting Arrest"?

Officers are to notify supervisors of any arrest where a subject is to be charged with "Assault on a Police Officer" or "Resisting Arrest". (Procedure 12.555 Arrest/Citation Processing of Adult Misdemeanor and Felony Offenders)

When completing the narrative of the Form 527, the use of descriptive words such as, "struggled", "offered resistance", and "physically resisted" are subject to individual interpretation. Officers must clearly describe the actions of the arrested subject when completing the narrative portion of the Form 527 and complete an 18NC if any type of "hard hands" were necessary.

Below are examples of various narratives that are either vague and need more explanation, or are clear and concise.

Vague narratives:

"Arrested was advised to put his hands behind his back. Arrested refused and resisted his own arrest."

"Defendant struggled with arresting officers and refused to put his hands behind his back."

"Subject advised she was under arrest for trespassing and was told to put her hands behind her back. Arrested refused and offered resistance."

Clear narratives:

"He refused to get out. Defendant had to be pulled from the vehicle, and he resisted by pulling away with his arms and body. The defendant did not submit to handcuffing until being told he would be tased."

"Subject leaned over and ingested the baggie of crack. Subject struggled with arresting officer pulling his arms away from officer trying to run."

Supervisors are reminded that while reviewing an arrest involving an "Assault on a Police Officer" or Resisting Arrest", they must read the narrative of the Form 527 and question the officer if the description of the arrest does not adequately indicate whether there was a struggle requiring the use of "hard hands" or if a Form 18NC was completed.

12.110 HANDLING SUSPECTED MENTALLY ILL INDIVIDUALS AND POTENTIAL SUICIDES

Reference:

Ohio Revised Code 5122.10 - Emergency Hospitalization; Examination;
Disposition
Procedure 12.175 – Use of Special Weapons and Tactics Unit
Procedure 12.180 – Use of Crisis Negotiations Team
Procedure 12.400 - Offense Reporting, Miscellaneous Reporting
Procedure 12.555 - Arrest/Citation: Processing of Adult Misdemeanor and Felony
Offenders
Procedure 12.600 - Prisoners: Securing, Handling, and Transporting
Procedure 12.910 - Missing Persons

Policy:

Mental Health Response Team (MHRT) officers will be the first responders, when available, on all runs involving suspected mentally ill individuals. If two MHRT officers are available, they will be dispatched as a team. When necessary a cover car will be dispatched. If the run is an emergency and no MHRT officer is available, beat cars will be dispatched immediately and an MHRT officer from another district will be notified to respond. If the run is **not** an emergency and no MHRT officer is available, the nearest available MHRT officer from an adjoining district will be dispatched as the primary car.

An MHRT officer on the scene of a suspected mentally ill individual will be the primary officer handling the situation. They will also be responsible for transporting the individual, if necessary, to the hospital.

A supervisor will respond on all radio runs involving violent or potentially violent mentally ill individuals and when possible, will consult the MHRT officer on scene to decide on a course of action.

Document all encounters with suspected mentally ill individuals on a Form 316, Minor Accident/Aided Case/Mental Health Response Report. This will be in addition to any other reports made.

Any suspected mentally ill person with a mental hold or who voluntarily agrees, when found, will be returned to the facility that reported them missing. If the facility is unknown, the subject is violent, or from outside the Hamilton County boundaries, the suspected mentally ill person will be taken to University Hospital.

Information:

When officers arrive on the scene of a suspected mentally ill individual and the situation meets the criteria for activating the Crisis Negotiations Team or the Special Weapons and Tactics Unit, follow the steps as outlined in Procedures 12.175 and 12.180.

Mobile Crisis Team (MCT) members are employees of the Psychiatric Emergency Services (PES) Unit at University Hospital. The Mobile Crisis Team is an aid to Department personnel, providing around-the-clock, on-site psychiatric crisis intervention. Their aim is to help prevent harm to a suspected mentally ill person, or others, during psychiatric emergency situations requiring police response.

The University Hospital Center for Emergency Care (CEC) and PES will not provide a locked environment during triage for mentally ill patients.

Procedure:

- A. Emergency Hospitalization without Medical Certificate Issued by a Qualified Physician, Ohio Revised Code (ORC) Section 5122.10:
 1. A police officer may take an individual into custody and transport him to a hospital if:
 - a) The individual is suspected to be mentally ill and likely to injure himself or others if allowed to remain at liberty.
 2. ORC Section 5122.10 reads, "A person taking the respondent into custody pursuant to this section, shall explain to the respondent the name, professional designation, and agency affiliation of the person taking the respondent into custody; that the custody taking is not a criminal arrest; and that the person is being taken for examination by mental health professionals at a specified mental health facility identified by name".
 3. Whenever there is any use of force or other significant police action with a state mental hold, sign appropriate criminal charges against the individual. This includes any use of force, use of chemical irritant, canine apprehension, or use of the Taser, beanbag shotgun, 40mm foam round, or pepperball launcher.
 - a. When placing criminal charges, place a prisoner hold at the hospital according to Procedure 12.600. Have Police Communications Section (PCS) notify the hospital if the person is an unusual security risk.
 - b. Telephone the Hamilton County Justice Center (HCJC) Intake Office with the necessary information about the individual hospitalized only when placing criminal charges. Call before leaving the hospital.
 - c. Complete a Form 527, Arrest and Investigation Report, and process according to Procedures 12.555 and 12.600.
 4. Handcuff suspected mentally ill individuals during the transporting and processing phases when the individual's behavior is unpredictable or past contact indicates there is a potential for violence.

5. Explain the use of handcuffs to the person and the family in a tactful manner.
 6. Two officers will transport the suspected mentally ill individual.
 - a. The officer with personal knowledge of the individual's behavior or an MHRT officer will accompany the transporting officer to the hospital and complete the proper forms.
 7. Only two hospitals in this area will admit individuals under these circumstances. Service is available 24 hours a day, 7 days a week.
 - a. Transport adults age 18 and over to University Hospital. Officers will enter through the ambulance bay doors and respond to the charge nurse station in the CEC.
 - 1) The charge nurse station will take the report and triage the patient as quickly as possible.
 - 2) Transporting officers will stay with the patient through the process and then transport the patient to the appropriate area.
 - b. Transport children, under 18 years of age, to Children's Hospital Medical Center.
 - 1) Handcuffed juveniles are to be brought in through the squad entrance for admission.
 8. Upon arrival at the hospital:
 - a. Complete the Ohio Department of Mental Health Form for emergency admission. In the "Statement of Belief" section, briefly note:
 - 1) The circumstances under which the individual came into custody.
 - 2) The reasons for your belief that hospitalization is necessary.
 - 3) Any other pertinent information known about the individual.
 9. Complete a Form 316.
- B. Talbert House Crisis Hotline (513-281-CARE) Action in Potential Suicides
1. When 281-CARE/Talbert House personnel receive a telephone call dealing with a potential suicide, they will assess the situation.
 - a. If they believe the caller is a threat to himself, they will call Emergency Number 911.

2. Police Communications Section will:
 - a. Relay information to the Cincinnati Bell Telephone Company requesting call tracing.
 - b. Relay the address received to the Officer In Charge (OIC) of the affected district and dispatch two officers to the scene.
 - c. Dispatch an MHRT officer to the scene when they are available.
 - d. Advise 281-CARE/Talbert House of the address.
 3. A shift supervisor will respond to the scene.
 4. Applicable law will guide Department personnel in the investigation of these cases. Compassion is a necessary approach to the successful handling of these crisis situations.
- C. Mobile Crisis Team (MCT)
1. MCT members are permanently assigned to Districts One and Five and will primarily work during the day Monday through Friday. Supervisors and MHRT officers can activate the MCT through PES 24 hours a day at 513-584-8577. The requesting supervisor or MHRT officer should request a team leader be paged to initiate the process.
 2. MCT members will give priority response to the Police Department within the constraints of available staff. This priority response includes:
 - a. Responding with MHRT officers in Districts One and Five.
 - b. Assessing the nature of a crisis.
 - c. Helping to control a situation, if possible.
 - d. Providing assistance in determining methods to use in response to the emergency.
 3. The Mental Health Access Point (MHAP) can be called 24 hours a day by officers at 558-8888. They provide:
 - a. Around-the-clock contact for any police officer facing a situation involving a suspected mentally ill individual.
 - b. Known premise history about a person with a mental illness who is in a dangerous situation.
 - c. Supplying available psychiatric information about a person in imminent risk of danger to himself or others. The release of this information is in the interest of safety to the person, police, and public in emergency situations.

- 1) Where permitted by law, do not release information given to Department personnel by sources outside the Department without written permission. Do not use this information beyond the current emergency.
 - a) Immediately advise the appropriate outside source of any requests from the public for documents containing information provided by them.
- d. Immediate suggestions about dealing with a person showing signs of mental illness.
- e. Immediate information about services available to help someone in a psychiatric crisis.
- f. Other necessary information.
4. The Police Department retains primary authority over any crisis situation covered by these guidelines. In an emergency, the Department will, when appropriate, use the advice and information the MCT provides.

12.815 COURT APPEARANCES, JURY DUTY, AND OTHER HEARINGS

Reference:

Procedure 12.555 - Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders
 Procedure 12.810 - Subpoenas
 Procedure 12.816 - On-Call Court Appearance
 Procedure 12.820 - Compensation for Court Attendance, Hearings and Other Administrative Recalls
 Procedure 12.825 - Compensatory Time and Paid Overtime
 Procedure 13.100 - Field Training Officer Program
 Procedure 19.105 – Sick/Injured With Pay and Special Leaves
 Manual of Rules and Regulations and Disciplinary Process
 Fraternal Order of Police/City Labor Agreement
 Department of Human Resources, Personnel Policies and Procedures
 Ohio Rules and Regulations – Article 69

Purpose:

Ensure compliance by employees with Department procedure and directives of the courts, including jury duty.

Keep court time to a minimum while maintaining current conviction rates and avoiding civil liability suits.

Provide specific instructions for completing and processing the following:

- Form 664, Court Appearance Control
- Recording vacation and compensatory time scheduling
- Form 678, Change in Court Appearance through Employee Tracking Solution
- Form 674, Case Delay Request Card
- Request for dismissal of charges in court
- Employees failing to appear in court

Policy:

Employees will appear for scheduled court cases in a timely and professional manner and will be well prepared to present cases and testimony to the courts.

Officers who are injured with pay or in **any** off duty sick status are not permitted to work outside employment details. This includes officers who cannot report for court because they are sick or injured. Officers must call on the track and physically report for their tour of duty before becoming eligible to work an outside employment detail.

Information:

Appearance in court as necessary is a job requirement of the Cincinnati Police Department. The court's schedule does not coincide with the shifts worked by many Department personnel, thus requiring personnel to appear in court during hours other than their normal working hours. Contractual and procedural provisions provide compensation for officers appearing in court when not on duty. The ramifications of not appearing in court when notified can be severe, not only in the loss of cases, but in increased civil liability for the Department as well as the officer. Additionally, personnel are subject to disciplinary action if they fail to appear as notified or fail to comply with the provisions of this procedure.

Procedure:

A. Court Control Unit

1. Employees responding for testimony in Grand Jury, Juvenile Court, Common Pleas, or any Municipal Court will first respond to the Court Control Unit, Room 147, Hamilton County Courthouse.
 - a. Office hours are Monday through Friday from 0730 to 1530 hours.
 - 1) When trials extend beyond 1530 hours, employees will have the respective prosecutor mark and sign a Form 68P, Overtime and Court Appearance Report, with the time released from court. Employees will deposit their Form 68P in the locked mailbox located outside the Court Control Unit door.
 - b. Department employees will be properly groomed and dressed, including authorized firearm, badge, and ID card. Department employees will wear either the uniform of the day (for their respective unit) or acceptable business attire of conservative color and design.
 - 1) Male employees in conservative business attire will wear a suit or sport coat with dress trousers, shirt, tie, and dress shoes. Earrings are not allowed.
 - 2) Female employees in conservative business attire will wear a business style dress, slacks, or suit and dress shoes. Moderate use of makeup is acceptable.

- 3) Clothing made of denim material is not acceptable.
- 4) Mountain bike officers attending court while off-duty will wear the uniform of the day or conservative business attire.
 - a) The mountain bike uniform may be worn to court only when the officer is on-duty and riding the mountain bike that day.

2. Reporting to the Court Control Unit

- a. Sign the log-in sheet provided by the Court Control Unit and advise of the case and courtroom.
 - 1) Indicate on the log-in sheet if the case is an outside employment case. **Moved from below**
- b. Employees will receive compensation (up to 1/2 hour) on a Form 68P for checking in at the Court Control Unit before responding to court.
 - 1) Allow enough time to permit the log in process and travel time to the courtroom before the scheduled hearing time.
- c. The Court Control Unit will:
 - 1) Add the name of employees properly notified, case number, room number, and time of the court appearance to the Court Control Unit's daily automated court docket, if not listed.
 - 2) Issue a time stamped Form 68P to the Department employee.
 - a) A Form 68P will not be issued to employees not notified to appear.
 - b) Employees will complete the "Time in Court" block on the Form 68P. This block will reflect the "Time Stamp In" and "Time Stamp Out" information.
- d. Outside employment cases
 - 1) Compensation for court appearances arising from arrests and citations occurring while working an outside employment detail is the responsibility of the outside employer.

- 2) Officers on duty at the time of a scheduled hearing:
 - a) Issue, process, and route a Form 68P as described in this procedure. The Form 68P issued by the Court Control Unit will be stamped "Outside Employment Case". The officer may submit a copy of this Form 68P to the outside employer for compensation.
 - 1] The district/section/unit commander will use the Form 68P to determine the time spent by an employee in the disposal of a case.
 - a] The employee must submit a Form 25S, Application for Leave of Absence, for vacation or compensatory time to cover this period.
 - b] The district/section/unit commander will attach the Form 25S to the Form 68P before processing by the unit time clerk.
 - 3) Officers off duty at the time of a scheduled hearing and notified through the Department to appear in court on outside employment cases must respond to the Court Control Unit.
 - a) The Court Control Unit will issue a Form 68P stamped "Outside Employment Case". The officer may submit a copy of this Form 68P to his outside employer for compensation.
- e. Multiple Common Pleas Court appearances
- 1) When an employee attends Common Pleas Court and the trial lasts more than one day, the employee will keep the subpoena until excused by the court.
 - 2) The employee will sign in each day at the Court Control Unit and prepare a separate Form 68P for each day's attendance.
 - a) The prosecutor will note the time excused on the Form 68P.
 - 3) The Court Control Unit submits all Forms 68P to the unit of assignment.

f. Defense appearances

- 1) Employees who appear in court or produce documents on behalf of the defense, either voluntarily, or in response to a subpoena, must immediately submit a Form 17 via the chain of command to Planning Section notifying the Police Department of the appearance.
 - a) Include in the Form 17 a brief summary of the expected testimony or the document requested.
 - b) Attach a copy of the subpoena.
 - c) For cases in Common Pleas Court fax the Form 17 and subpoena to the Hamilton County Prosecutor's Office at 945-3017.
 - d) For all other cases fax the Form 17 and subpoena to the Solicitor's Office at 352-1515.
- 2) Planning Section will maintain a copy of the Form 17 and subpoena.
- 3) Employees must sign in at the Court Control Unit and advise they are appearing for the defense. The Court Control Unit will add the employee's name, case number, room, and time on the daily automated court docket.
- 4) The Department will compensate employees who receive a subpoena from the defense for court appearances resulting from their duties as a police officer in the same manner as a normal court appearance.

g. Court appearances resulting from off-duty arrests

- 1) The officer must sign in at the Court Control Unit.
- 2) The Department will compensate officers for court appearances resulting from enforcement action taken as a police officer while off duty and not working police related outside employment.

3. Endorsement of Form 68P by prosecutor or grand jury foreman

- a. Before the case is called in the courtroom, the employee will complete all the case and employee information on the Form 68P.
- b. Upon completion of the employee's appearance and release by the prosecutor, the employee will present the prosecutor with the completed Form 68P.

- 1) The prosecutor will sign the Form 68P and enter the time next to his signature.
- c. The employee will immediately hand-deliver the completed form back to the Court Control Unit.
4. Officers will get a subpoena from the prosecutor in Grand Jury and Common Pleas. Take the subpoena to the Common Pleas Clerk of Court's Office, Room 315, Hamilton County Courthouse. Each officer will hand-deliver it to the clerk located at the Criminal Desk.
 - a. The Juvenile Court prosecutor will issue a subpoena from Juvenile Court. Take the subpoena to the Juvenile Court Clerk's Office, first floor, 800 Broadway, and deposit it in the basket on the front counter.
 - b. Officers will not need to wait for a check except for outside employment arrests where officers want to keep the check.
 - c. Court Control Unit personnel will respond to the Clerk's Office each business day and receive one voucher for all court appearances for the previous court day.
5. Final processing at the Court Control Unit:
 - a. When employees return the completed Form 68P, the Court Control Unit will:
 - 1) Inspect the Form 68P for accuracy.
 - 2) Time stamp the Form 68P.
 - a) Question unreasonable lapses between the time the prosecutor signed the Form 68P and the arrival of the employee at the Court Control Unit.
 - 1] Document and submit to the district/section/unit commander any unreasonable lapses that would result in additional compensatory time.
 - 3) Make the proper entry on the log-in sheet showing the employee completed the court process.
 - 4) Stamp in green "For Pay - Grand Jury Court Appearance", "For Pay - Common Pleas Court Appearance", or "For Pay - Juvenile Court Appearance". This will notify district/section/unit timekeepers the appearance is a paid appearance.
 - 5) Stamp in red "Outside Employment Arrest" on any off-duty appearances arising from outside employment arrests.

- 6) Ensure officers appearing on duty have "On Duty" noted in the "Overtime For Time" block.
- 7) Keep the Form 68P for processing to the employee's unit.
- b. Employees unable to check out because the Court Control Unit is closed will deposit their Form 68P in the locked mailbox located outside the Court Control Unit door.
 - 1) The Court Control Unit will make a copy of the Form 68P and mail the original to the employee's unit.
- 6. Police personnel subpoenaed to court or board hearings at a location in Hamilton County other than the Hamilton County Courthouse, Hamilton County Justice Center, or the Hamilton County Juvenile Court, including but not limited to, United States Federal Court appearances in Cincinnati, Ohio, and Covington, Kentucky.
 - a. Appear at the location listed on the subpoena at the scheduled time.
 - b. Complete a Form 68P.
 - 1) Have the person in charge of the hearing (prosecutor, probation officer, officer of the court, etc.) sign the Form 68P on the line titled "Verified By:" and fill in the space titled "Time In Court".
 - c. Obtain the check issued by the agency for compensation of the appearance.
 - 1) Endorse the check and write "For Deposit Only" on the rear of the check.
 - d. Turn the Form 68P and check into the unit timekeeper for processing and forwarding to the Finance Management Section.
- 7. The Court Control Unit will review each day's activities and submit a monthly report to the Inspections Section Commander listing the following:
 - a. Number of employees notified to appear in court.
 - b. Number of employees excused from court through the Change in Court Appearance process.
 - c. Any employee who didn't properly appear as notified, including absences and tardiness.

- d. Any employee who responded to court without being notified through the normal notification process.
 - e. Any employee who responded to court whose attire or appearance was inappropriate.
 - 1) In addition to the monthly report, this will be reported as it occurs.
 - f. Any other notable occurrences, violations, or incidents.
 - 1) In addition to the monthly report, these will be reported as they occur.
 - 8. See Procedure 12.825 concerning processing Forms 68P at the district/section/unit level.
- B. Form 664, Court Appearance Control
- 1. Listed on the back of each Form 664 are instructions for completing the form.
 - 2. Supervisors will thoroughly review completed forms for correctness and arrange in alphabetical order before submitting to the Court Control Unit.
 - 3. Do not use the Form 664 in setting Juvenile, Grand Jury, or Common Pleas Court cases.
 - 4. The Assignment Commissioner uses the Form 664 for setting misdemeanor trials involving traffic and criminal cases.
 - 5. When a supervisor authorizes more than one officer to appear in court the Assignment Commissioner will set the case on the court date of the officer who signed the complaint.
 - 6. Recording vacation and compensatory time scheduling:
 - a. Districts/sections/units will forward a schedule of officers taking vacations between January and April to the Court Control Unit within 10 days of the final annual vacation selection. This will ensure the vacations are listed on the Form 664.
 - b. Officers granted time off on a court date, as listed on the Form 664, must determine if they have a court case pending on that day by running a QOS query, e.g., QOS/DST3.Badge:PO123.
 - 1) Officers must attend court if a case is already docketed.
 - 2) If no case is scheduled, the officer will request a supervisor to ask the Assignment Commissioner to mark out that day.

7. Any changes to a previously submitted Form 664 must be made by a supervisor. The supervisor will contact the Assignment Commissioner's office to request a change on an officer's Form 664. Officers will not call the Assignment Commissioner themselves.

C. Change in Court Appearance

1. Requests for continuances

- a. The Department will consider requests for continuances in instances involving emergencies, illness, injury, or where cases are scheduled on days previously marked on a Form 664, i.e., scheduled vacation, off day, training day, etc.
- b. The Change in Court Appearance request will be completed within 72 hours of the officer receiving the notify, when possible.

2. Employee unable to appear in court

- a. Employees who cannot attend court because of unforeseen circumstances or emergencies occurring on the scheduled court date will immediately notify a supervisor.
 - 1) The supervisor will review the circumstances with the officer.
 - 2) The supervisor will immediately complete a Change in Court Appearance request through ETS if the criteria for excusing the officer from court are met as set forth in Section C.1. Indicate the new primary officer who will be attending court if possible. If not, request a new court date and indicate when the officer will return to work.
 - a) Immediately work-flow the Change in Court Appearance request to the Court Control Unit.
 - b) For same day or next day court appearances, call the Court Control Unit before 0800 hours and notify them of the Change in Court Appearance request sent via ETS.
 - 1] Phone notifies made before or after office hours will be left on the Court Control Unit voice mail.
 - 3) The Court Control Unit will forward the Change in Court Appearance information to the court where the officer is scheduled to appear.

3. Change in primary officer
 - a. When the primary officer notified for court cannot appear, a unit supervisor will, if possible, notify an alternate officer competent to testify to appear.
 - b. The supervisor will complete a Change in Court Appearance request in ETS showing the change in primary officer and reason for the change.
 - 1) The supervisor will work-flow the request through ETS to the Court Control Unit.
4. Training does not take priority over a scheduled court case. Certification training or State mandated training such as CPR, OVI, annual firearms qualification, canine, and mounted training are the only exceptions.
 - a. If time permits, the preferred method for handling conflicts between court and training is to reschedule the training or, if possible, trade training dates with another officer.
5. Officer not needed for court
 - a. Before a supervisor completes a Change in Court Appearance request, officers will:
 - 1) Make personal contact with the appropriate prosecutor to confirm they are not needed for court.
 - 2) Include the name of the prosecutor authorizing the Change in Court Appearance.
 - a) If the officer cannot make personal contact with the prosecutor, the Change in Court Appearance will not be submitted to the Court Control Unit and the officer will respond to court as notified.
6. Officer suspension
 - a. If an officer is suspended seven days or less, the district/section/unit commander will immediately forward the Change in Court Appearance request to the Court Control Unit, via ETS, for each court notify the officer receives while under suspension. The Court Control Unit will then request a continuance until the officer returns to duty (refer to Procedure 12.810).

- b. If an officer is suspended more than seven days, the district/section/unit commander will initiate a Form 17 advising the Court Control Unit of the suspension dates. This form will request future court dates for the suspended officer be handled by subpoena.
 - 7. The Court Control Unit will determine if the request is in compliance with this procedure if it is received before the scheduled court appearance.
 - a. The Court Control Unit will forward the Change in Court Appearance request to the Hamilton County Prosecutor or Municipal Court Prosecutor requesting a change in officer needed for court.
 - b. If the request does not meet Department guidelines for change in court appearance, the Court Control Unit will reject the request through ETS, outlining in the notes of the message the reason for rejection. The supervisor will insure the officer is notified of the rejection. The officer will attend court as scheduled.
 - c. In cases with multiple officers, cases will not be reset for any officer other than the one who signs the complaint.
 - d. In all cases, district/section/unit supervisors will be held accountable for any Change in Court Appearance request determined by the Court Control Unit as not meeting Department guidelines.
 - 8. If ETS is down, all Change in Court Appearance requests will be sent via fax. The Form 678, Change in Court Appearance, will be used in these instances.
- D. Completing a Form 674, Case Delay Request
- 1. If more than one case is scheduled on the same day and at conflicting times, complete a Form 674. The Court Control Unit provides this form for all officers in court who have cases in other courtrooms.
 - a. Upon completion, give the Form 674 to the prosecutor in the room where the case will be held.
- E. Request for Dismissal of Charges in Court
- 1. Officers who believe it is necessary to request dismissal of a charge or to otherwise intervene in the disposition of any case before the court will submit a request through channels to their bureau commander stating the reason(s).

- a. Officers are not to proceed in requesting a dismissal or to intervene in a court case unless permission has been granted.
- b. After the bureau commander's approval, the officer will consult with the appropriate prosecutor's office before approaching the court for the stated purpose. The officer will, at the time of consultation, present to the prosecutor a copy of the bureau commander's approved request.

F. Notification for Deposition Hearings

- 1. The Solicitor's Office notifies Planning Section when an officer is required to respond to a deposition hearing. Planning Section is responsible for notifying a supervisor in the district/section/unit where the officer is assigned.
- 2. The district/section/unit supervisor will enter the notification in the blotter and will notify the officer to appear for the deposition hearing.
 - a. Notification must be confirmed. Leaving a message on an answering machine, fax, voicemail or pager is not considered confirmed notification.
 - b. The blotter entry must be signed out by the supervisor making the notification or by the officer.
- 3. The notifying supervisor will send a confirmation message to the Planning Section mailbox by email upon notification of the officer. (Planningsection@cincinnati-oh.gov).
- 4. Planning Section will notify the Solicitor's Office and will complete and file all pertinent paperwork.

G. Other Hearings

- 1. A Department member requested or subpoenaed to appear by anyone other than the City at an arbitration hearing related to discipline or a civil court personnel related action filed against the City:
 - a. Will immediately notify the Internal Investigations Section.
 - b. Will not appear in uniform except when pre-approved by a bureau commander, but will dress in conservative business attire.
 - c. Will not interpret matters of policy as only the Police Chief sets policy for the Department.
- 2. Department members appearing in court on personal matters, civil or criminal, will not appear in uniform.

- a. Any officer entering the courthouse or 800 Broadway when not engaged in official business, must pass through the metal detectors. Any officer carrying a firearm and not on official business must have the firearm secured and under control of the sheriff. No exceptions to this order are permitted. Lock boxes at the Courthouse are located at the rear basement door. Lock boxes at 800 Broadway are located at the front door.
 - b. Any officer encountering difficulties at a checkpoint, either at the courthouse or 800 Broadway, will request a supervisor respond to resolve the situation. Officers are not to challenge the deputy sheriff on the above issues.
- 3. Citizen Complaint Authority (CCA) interviews
 - a. Interviews will be scheduled in advance with input from the officer's supervisor regarding work schedule.
 - b. Once a CCA interview is scheduled, the officer involved in the interview will not be granted time off until the interview is complete.
 - c. If an officer fails to appear for a scheduled interview, the shift Officer in Charge (OIC) will be contacted via radio by a Police Communications Section (PCS) supervisor. The PCS supervisor will provide the OIC with the name of the CCA investigator. The OIC will directly contact the CCA investigator regarding the failure to appear.
- H. Supervisory Responsibilities When Personnel Fail to Appear (FTA) or are Tardy for Scheduled Court Appearances
 - 1. Upon receipt of an ETS memo reference a FTA or tardy court appearance involving personnel, a supervisor will:
 - a. Conduct an investigation of the incident.
 - b. Complete and forward an FTA/Tardy Form through ETS detailing the results of the investigation.
 - 1) Refer to Manual of Rules and Regulations Sections 3.04 and 15 Disciplinary Table.
- I. Employees Notified for Jury Duty
 - 1. Upon receiving a jury duty summons, employees will immediately notify their supervisor. Employees cannot request exemption from jury duty.
 - 2. Employees assigned to first shift group 8 will be detailed to jury duty.

- a. Employees working any other shift or off day group wishing to be detailed to jury duty should submit a Form 440, Voluntary Shift Deviation Form, and/or a Form 443, Off Day Deviation, to accommodate jury duty.
- 3. Employees detailed to first shift for jury duty service will be carried as JUR-Jury Duty in the Time Book.
 - a. The Department will excuse employees for time spent on jury duty. While not actively serving on a jury, employees will be at their unit of assignment.
- 4. Employees detailed to jury duty will sign and forward checks received for jury duty to the unit timekeeper for verification. Officers attending jury duty on their own time may keep checks received for jury duty.
 - a. The unit timekeeper will forward the checks to Finance Management Section.

13.107 EVALUATION SUPPLEMENT LOG

Reference:

FOP/City Labor Agreement
AFSCME/City Labor Agreement
CODE/City Labor Agreement
Procedure 14.200 - Information Technology
Procedure 16.111 - Employee Tracking Solution

Purpose:

Document positive employee work performance, training, and corrective action. Assist with the development and evaluation of personnel. Track employee interventions and the intervention progress within the Employee Tracking Solution.

Policy:

An Evaluation Supplement Log (ESL), will be maintained on all sworn and non-sworn employees. ESLs will be maintained in the Employee Tracking Solution (ETS).

Supervisors will utilize these entries to document positive and/or negative personnel performance, plans of actions or interventions to enhance performance, and for use as supporting documentation related to employee evaluation. When the intervention includes a referral to an outside agency (Public Employees Assistance Program, police psychologist, etc.) only the name of the agency will be listed. The reason for the referral will be outlined in the employee's medical jacket maintained at Personnel Section. Authorized employees may access the medical jacket by contacting Personnel Section.

Information:

Interventions can occur as a result of any incident or identification of a pattern requiring attention. Employees will be evaluated according to a comparison with employees in their organizational group. Should this evaluation reveal that an officer's activity exceeds or falls short of established thresholds, an intervention may occur. Any of the following are considered an intervention and will be documented in the employee's ESL:

- Review;
- Counseling;
- Training;
- Referral to outside services such as, Public Employees Assistance Program (PEAP), police psychologist, etc, (list only the agency name);
- Monitoring plan – documented action plan with set reporting intervals;
- Reassignment;
- Discipline;
- Other or any combination of the above.

Procedure:**A. ESL Format**

1. Every ESL entry will be entered into ETS.
 - a. Give full details, including date of occurrence, and description of the incident or action generating the ESL entry.
 - 1) Include reference document, offense number, tag number, name, etc., if applicable.
 - 2) Include the date the incident or action occurred. For example, on 03/01/06, Officer Jones responded to an Aggravated Robbery, Incident #50A1100201, made the initial report, recovered victim's property, recovered the weapon used, arrested the suspect, Marcus Smith, and elicited a confession from suspect.
 - b. When describing the supervisory action taken, a one or two word entry is acceptable, i.e., commended, officer advised, counseled. If the action is documenting an intervention plan, a brief description of that plan or the name of the outside agency must be noted.
 - c. Record the date the employee was notified of the ESL entry.
 - d. Employee badge number and initials
 - 1) A supervisor will request the employee log in to ETS and review the ESL.
 - a) Make the request for the employee to review the entry as soon as possible from the date of entry.
 - b) The review will take place in the presence of the reviewing supervisor.
 - 2) The employee will be asked to enter their initials and badge number (if applicable) to acknowledge they have been notified the ESL entry was made.
 - a) If the employee refuses to initial a disciplinary or corrective entry, another supervisor must witness the refusal. The witnessing supervisor's name will be noted in the Action Taken area. The reviewing supervisor must type the word "refused" in the Employee Initial field indicating the employee refused to initial the ESL, regardless of the nature.

- 4) Employees are not permitted to write a rebuttal or comments on the ESL form. Employees do have a right to submit an explanation or rebuttal on a Form 17, which will be scanned and attached to the ESL case folder as a document. The original Form 17 will be routed through the chain of command.
- e. Supervisors who initiate an ESL entry or review an ESL entry with an employee will enter their initials and badge number.
- f. Further Disposition
 - 1) If a single incident or a series of incidents result in other action taken at a later date, note the specific action taken in this field, i.e., official commendation, written reprimand, etc.
 - 2) Reports (Forms 17, 90SP, 91SP, etc.) submitted indicating that an ESL entry was made will accompany the ESL in the case folder.
 - a) The ESL will be attached to the original ETS case, if appropriate, by "Add ESL".
 - b) If a hard copy of the ESL is needed for a document outside of ETS, the ESL will be printed and attached.

B. Supervisor Responsibilities

- 1. The ESL will be work-flowed to the employee when the supervisor is ready to review it with the employee. The review must take place as soon as possible from the date of entry.
 - a. The review will take place in the presence of the supervisor who prepared the ESL. If a different supervisor is going to review the ESL with the employee, the ESL must first be work-flowed to the reviewing supervisor.
- 2. District/section/unit commanders will finalize all ESL entries.
- 3. The relief or unit officer in charge will check entries regularly for accuracy.
- 4. First line supervisors will review the ESL in conjunction with the monthly worksheet review.

C. Review of ESL Entries

- 1. ESL entries may be accessed by:
 - a. Employees – employees may review their ESL via ETS at any time.
 - b. District/section/unit commanders and supervisors to whom the employee is assigned.

- c. Personnel Section.
- d. Internal Investigations Section.
- e. Inspections Section.
- f. Assistant Police Chiefs.
- g. Police Chief and/or designee.

19.105 SICK/INJURED WITH PAY AND SPECIAL LEAVES

References:

Procedure 12.830 - Donated Time
 Procedure 19.107 - Family Medical Leave Act
 Procedure 19.130 - Limited Duty Personnel
 Procedure 19.140 – Outside Employment
 Fraternal Order of Police/City Labor Agreement
 American Federation of State, County and Municipal Employees (AFSCME)/City Labor Agreement
 City of Cincinnati Human Resources Policies and Procedure
 Training Bulletin #142

Definitions:

Bloodborne contaminant - any blood, any body fluid (semen, saliva, vaginal fluids, etc.) which visibly contain blood, or any body fluid in which it is difficult or impossible to tell if it contains blood.

Active exposure - an exposure to an active bloodborne infectious disease specifically to the eye, mouth, interior of the nose, intact/non-intact skin, or other mucous membrane, from blood or other potentially infectious materials.

Original documents – photographs, MVR/DVR tapes, and any documents that are handwritten or contain an original signature.

Passive exposure - an exposure to an airborne or bloodborne life-threatening infectious disease, generally considered to be viral hepatitis or human immunodeficiency virus (HIV), but not to an area classified as an active exposure. Mere presence at a scene or contact with a body or other body fluid is not necessarily an exposure. Even contact with blood or other body fluids is not necessarily an exposure; the contact must be within the categories outlined in the Information Section.

Methods of bloodborne infectious disease exposure:

- A puncture, laceration, or abrasion of the skin.
- A splash or spitting into the eye, mouth, or interior of the nose.
- Contact with broken skin including rashes, chapped skin, open wounds, or healing wounds with scabs.
- A human bite.
- Contact with intact skin in excess of three minutes.

Purpose:

Provide Employee Health Service (EHS) with each employee's health history, enhancing their ability to provide the employee with proper medical care.

Ensure necessary documentation of sickness and injury cases.

Establish a uniform Department procedure for recording and reporting personnel injured or exposed to infectious disease in the line of duty.

Establish guidelines for requesting a special leave of absence.

Policy:

City primary care physicians may examine and diagnosis Department employees when EHS is closed. Employees must follow all medical directives concerning duty status established by the treating physician.

Sick With Pay (SWP) should not be approved unless the employee has properly reported and justified the absence.

Medical information is considered confidential and will not be discussed with anyone who does not have a legitimate need for the information. This includes the reason an individual calls off sick, injured, or FMLA related status.

Officers may not work a police-related detail while on light duty, in an off-duty injured with pay status, in **any** off-duty sick status, or off-duty due to any Family Medical Leave Act (FMLA) approved time.

Officers must physically report for work after being off duty while injured, sick, or taking FMLA approved time before working a police-related detail.

Officers who call their workplace and report themselves ready for duty are not eligible to work an outside employment extension of police service detail prior to reporting for their next scheduled tour of duty.

Information:

Injured With Pay (IWP) benefits may be initially approved for payment by the EHS Physician or by the Police Department, subject to final recommendation and approval by the EHS Physician.

District/section/unit commanders will approve or disapprove Sick With Pay (SWP) benefits.

Personnel Section may request the EHS Physician's opinion in considering the decision to approve or disapprove SWP benefits.

Department employees may also refer to the Human Resources Policies and Procedures, Chapter III - Employees Benefits, for additional information.

Disagreements with the determination of IWP, SWP, or FMLA status are handled according to current City/Department policy and procedure and/or current union contract stipulations.

The Form 91SP, Supervisory Investigation of Employee Injury, and checklist for completion is available on the Intranet.

Procedure:

- A. Responsibilities of Department Employees Unable to Appear for Duty Due to Sickness or Injury
 - 1. As soon as possible before the start of the next tour of duty, notify a supervisor from the assigned unit (Refer to Procedure 19.107 for leaves falling under the provisions of the Family Medical Leave Act).
 - a. Provide the supervisor with:
 - 1) The specific nature of the illness or injury.
 - 2) How long you expect to be off duty.
 - 3) Whether you called or will call a physician or dentist.
 - 4) The telephone number where you can be reached.
 - 5) Notice of court appearances, off-duty details, meetings, public appearances and training dates that may need to be rescheduled.
 - b. Contact EHS when directed by a supervisor.
 - c. Comply with any request from the Police Department or the EHS physician to respond to the EHS.
 - d. EHS will provide Personnel Section with the original Form 96 and a copy to the affected officer following the medical examination. The Form 96 will list any duty restrictions determined by the EHS Physician. EHS will contact the affected officer's unit of assignment with any change in duty status.
 - 1) Personnel Section will compare the employee's duties to the Classification of Physical Demands of Work listed on the reverse side of the form, complete the bottom portion of the form, and fax a completed copy to EHS within 24 hours.
 - 2. When the condition improves allowing a return to duty, notify a unit supervisor as soon as possible.
 - 3. If EHS approval is required, a sick or injured employee may not return to duty without approval.
 - 4. Civilian employees are also be governed by current City/union contracts or Human Resources Policies and Procedures.

B. Supervisory Duties When an Employee is Unable to Appear for Duty

1. Upon receiving a call that an employee is sick or injured:
 - a. Document the information provided by the employee on a Form 25S, Application for Leave of Absence, or a Form 91SP, Supervisory Investigation of Employee Injury, as appropriate.
 - 1) In the "Reason" section of the Form 25S, explain in detail why the person is off sick or injured.
 - 2) On the Form 25S, indicate your recommendation to the district/section/unit commander to approve or disapprove use of SWP or IWP.
 - a) Recommend the approval of SWP when the employee has properly reported and justified the request.
 - 3) Forward the form through the chain of command to the district/section/unit commander.
 - b. Record that the employee called off sick or injured in the unit blotter.
 - c. Ensure Personnel Section is notified when an employee is admitted to a hospital as result of an on or off-duty injury or illness.
 - 1) If after normal business hours or on weekends, the information can be left on Personnel Section's voice mailbox system.
2. When an employee calls in sick and a supervisor has reason to believe the employee is improperly using sick time, or if a physician's or dentist's verification is necessary per the American Federation of State, County, and Municipal Employees (AFSCME) contract, the supervisor will:
 - a. Direct the employee to produce a physician's or dentist's statement within three working days justifying the absence.
 - 1) Employees failing to bring in a physician's or dentist's statement may be subject to disciplinary action and should be carried in a Leave Without Pay (LWOP) status.
 - b. Prepare a Form 25S
 - 1) Check the "Medical certificate requested" block.
 - 2) Enter the reason for requiring the physician's or dentist's statement.

- 3) Route the form through the chain of command to the district/section/unit commander.
3. When an off-duty employee calls off with an on-duty injury or a recurrence of an on-duty injury:
 - a. Complete Form 91SP.
 - 1) Include the date of the original injury and date of recurrence (if applicable), a brief description of the original injury, and a thorough description of the current problem.
 - a) Mark "recurrence" at the top of the Form 91SP, if applicable.
 - b. Carry sworn employees as IWP in the time book unless IWP benefits were denied by EHS.
 - c. Carry Division 1 employees SWP per union contract and Human Resources Policies and Procedures for the first 40 hours of their disability period, excluding the day of the injury, unless they are hospitalized for one or more days as a result of the on-the-job injury.
 - 1) Non-sworn employees will not be carried IWP until a final decision is made by EHS Physician, except as outlined in B.3.c.
 - a) In those cases, the employee must identify the type of leave to be initially used, i.e., vacation, comp., SWP.
 - 2) If IWP is approved by the Risk Management Office, the payroll reports and time book will be adjusted to reflect prior balances.
 - d. Direct the employee to contact EHS as soon as possible but no later than the end of the next business day and note this on the Form 91SP.
 - e. Work-flow the completed Form 91SP through the chain of command to the district/section/unit commander.
 - 1) When work-flowing the 91SP, "Add Notification" to Personnel Section.
- C. Duties of District/Section/Unit Commander When an Employee is Unable to Appear for Duty Due to Illness or Injury
 1. Upon receipt of Form 25S for SWP benefits:
 - a. Review and sign indicating approval or disapproval of the use of SWP benefits.

- b. Forward the original daily to Personnel Section via the chain of command.
 - c. Maintain a copy in the district/section/unit tickler file.
 - 1) When an employee returns to duty, note the date of return on the unit copy. Send a copy to Personnel Section and transfer the unit copy to the employee's unit Medical Jacket.
 - 2. Upon receipt of a Form 91SP for IWP benefits:
 - a. Review and initial.
 - b. Notify Personnel Section as soon as possible of the illness/injury and date in cases of:
 - 1) On-duty injury or a recurrence of an on-duty injury.
 - 2) A hospitalized employee.
 - 3) Exposure to an infectious disease.
 - c. Make a blotter entry, when appropriate, indicating Personnel Section was notified.
 - d. Work-flow the Form 91SP directly to Personnel Section.
 - 3. Inform the bureau commander of cases involving serious injury, illness, or extended illness.
- D. Sickness While on Duty
- 1. An employee becoming ill on duty will report the illness to a supervisor. The supervisor will assist or make arrangements to transport the employee home, to EHS, to a private physician, or a hospital, as conditions determine. The supervisor will prepare a Form 25S as outlined in Section B.1.a.
 - 2. Employees becoming ill while on duty are carried on the Payroll Attendance Report (PAR) and time book as sick for the portion of the day they are absent from their regular tour of duty. Record the off-duty sick time in 15 minute increments.
- E. Personnel Injured on Duty
- 1. Personnel injured on duty will be provided with an employee injury packet to be completed at the initial care facility.
 - a. A packet is not required when treatment is received from EHS.
 - 2. Investigating supervisors will review the treating physician's medical evaluations prior to granting an employee IWP.

3. When a Department employee is injured on duty, a supervisor will:
 - a. Scan and attach the following documents to the appropriate ETS case folder:
 - 1) Bureau of Worker's Compensation form.
 - 2) Applicable release form, i.e., Employee Health Service, hospital, or individual doctor.
 - b. Work-flow the completed Form 91SP through the chain of command to the district/section/unit commander. When work-flowing the 91SP, "Add Notification" to Personnel Section.
 - c. Print a copy of the Form 91SP from ETS and **fax** the copy to:
 - 1) City's current insurance provider.
 - 2) Risk Management Office.
 - 3) Employee Health Service.
 - d. Advise the employee to contact EHS as soon as possible.
 - 1) An employee unable to respond to EHS at the time of injury must notify EHS on the next EHS business day.
 - 2) If an employee is unable to respond or contact EHS due to the seriousness of the injury, Personnel Section will notify EHS of the employee's injury and status.
 - e. Carry sworn employees as IWP for the disability period subject to final recommendation and approval by EHS.
 - 1) The day of the injury is considered a working day. Do not charge to IWP.
 - f. Carry Division 1 employees SWP per union contract and Human Resources Policies and Procedures for the first 40 hours of their disability period, excluding the day of injury, unless they are hospitalized for one day or more.
 - 1) The day of the injury is considered a working day. Do not charge to SWP or IWP.
 - g. Carry other full-time non-sworn employees as mandated by Human Resources Policies and Procedures.
 - h. Complete Form 91SP even if the employee refuses treatment for a non-visible injury.

F. On-duty Exposure to Life-Threatening Infectious Diseases

1. Life-threatening infectious diseases are generally considered to be viral hepatitis (HAV, HBV, HCV) and human immunodeficiency virus (HIV), which are bloodborne, and tuberculosis (TB), which is airborne.
 - a. Assume all contaminants are infectious. If the source is not clearly known not to be infected, treat as if infected.
 - b. If an employee has contact with a known source of an infectious disease as listed in Section F.1. but not an exposure as listed in "Definitions" section, the employee's supervisor should complete a Form 91SP for a "passive exposure".
 - 1) The employee receives a copy of the Form 91SP.
 - 2) A Form 91SP for a "passive exposure" does not generate a Workers' Compensation number.
2. Treatment
 - a. All exposures:
 - 1) Immediately wash the affected area thoroughly with the antiseptic gel and/or soap with hot water.
 - 2) Rinse eyes, mouth, and the interior of the nose thoroughly with plenty of warm water. Expel the water.
 - b. Passive exposures:
 - 1) Do not go to a hospital or other medical care facility for testing or treatment solely for a suspected exposure.
 - a) Medical costs of testing for infectious diseases are not covered by Workers' Compensation. EHS will provide all necessary testing and associated treatment without cost. Should you choose to seek private testing you will be personally responsible for the associated costs.
 - c. Active exposures:
 - 1) If an active exposure or a suspected active exposure exists, respond to University Hospital for testing and treatment.
 - a) Follow-up treatment is handled by EHS.
3. Employee responsibilities:
 - a. Immediately report the incident to a supervisor.

- b. Indicate on the Form 527, Arrest and Investigation Report, "Arresting employee exposed to blood/body fluids - court ordered test required".
 - c. Call EHS and speak with a nurse or a doctor, not just the receptionist. If EHS is closed, contact them as soon as the office opens for regular hours. Holidays and weekends will not adversely affect treatment. EHS will determine if there is a possible exposure and if an office visit is needed.
- 4. Supervisor responsibilities:
 - a. Request the subject submit to a test for infectious diseases if a suspected exposure occurs. This should be done at University Hospital. Get a signed medical release from the subject so the hospital will release the test results to EHS or the Police Department.
 - 1) Notify EHS of a refusal.
 - 2) If for any reason a test is not performed on the subject at the hospital:
 - a) Notify a Hamilton County Justice Center (HCJC) intake supervisor of the exposure and the need for a court ordered blood test.
 - 1] HCJC personnel will obtain the necessary court order on behalf of the Police Department. The arrested will be held until the necessary test can be administered.
 - a] HCJC will notify EHS of the test results, who will in turn notify the member.
 - b. Complete the Form 91SP.
 - 1) Work-flow the completed Form 91SP through the chain of command to the district/section/unit commander.
 - a) When work-flowing the 91SP, "Add Notification" to Personnel Section.
 - 2) Fax a copy to Employee Health Service.
 - a) Scan the medical release into the computer and attach to the the appropriate ETS case folder. Route the original medical release through channels.
 - c. The unit supervisor will contact EHS to be sure the affected employee has notified EHS of the possible exposure and is following the directives of EHS. Notify EHS where and when the subject was tested for infectious diseases, and whether there is a medical release.

5. Personnel Section, when notified by EHS of known exposures involving deceased individuals, will notify the affected employee's district/section/unit commander. Employees will follow the protocol as outlined above.
 - a. Personnel Section will be available to answer questions related to exposures.

G. Notification in Cases of Serious Illness or Injury

1. Each unit will maintain an updated Form 438, Personnel Index Card, for each employee.
 - a. The reverse side of the Form 438 contains the following information:
 - 1) Names, addresses, and phone numbers of individuals to be notified in case of an emergency.
 - 2) Name of clergy member if desired.
 - 3) Special instructions by the employee.
 - b. Changes to the Form 438 are the employee's responsibility.
2. The employee, if conscious, should make the decision whether any personal notifies are to be made.
 - a. If possible, the employee will personally make the call.
3. If the employee is unconscious or unable, a supervisor will contact person(s) the employee designated on the Form 438.
 - a. In-person notification will be made.
 - b. Provide transportation of the notified person(s), if needed.
 - c. Consider using a member of the Police Clergy Crisis Team or a Peer Support member to assist with the notification.
 - d. Notify Police Communications Section (PCS) by telephone of the following:
 - 1) Nature and extent of the injury or illness.
 - 2) Location or destination of the injured or ill employee.
 - 3) Whether the person(s) listed for emergency notification were able to be contacted.
 - e. PCS will make the appropriate notifications according to the Situational Occurrences Notification List.

H. Special Leaves

1. The Personnel Section Commander has authority to approve the following special leaves in compliance with City/Department policy and procedure and/or current union contract:
 - a. Sick Pay Family (SPF).
 - b. Sick Pay Death (SAD).
 - c. Sick Pay Maternity (SPM).
 - d. Military Training (MT).
 - e. Leave Without Pay (LWP).
 - 1) The Department will follow the current City guidelines as outlined in the Human Resources Policies and Procedures, Department procedures, and/or current union contract.
2. Employees requesting special leave will complete a Form 25S as soon as the need for the leave becomes known.
 - a. The original is routed through the chain of command to Personnel Section.
 - b. The employee's unit of assignment retains a copy in the employee's Medical Jacket.
 - c. The time book and PAR will reflect the time granted.

I. Responsibilities of Personnel Section

1. Serve as the Department liaison with EHS.
2. Maintain an annual file of Forms 25S pertaining to sick leave.
3. Maintain a list of personnel confined to a hospital.
 - a. Notify the Police Chief's Office and the Fraternal Order of Police (FOP) of those employees admitted to a hospital.
4. Advise EHS of:
 - a. Hospitalized employees.
 - b. Employees exposed to an infectious disease.
 - c. Other serious or unusual cases of sick or injured employees.
5. Send a copy of the sick and injured leave report to EHS weekly containing the information of personnel currently carried as IWP, light duty, and on extended sick leave.

6. Under special circumstances, and when advised by EHS, notify an employee's unit of assignment of an employee's current duty status. Under normal circumstances, EHS notifies the employee's unit of assignment of duty status and gives the employee a copy of the Form 96 to give to the employee's supervisor.
 7. Receive copies of Forms 25S for special leaves.
 8. Receive and process Form 91SP via ETS for personnel injured on duty.
 - a. Place copies of the Form 91SP in the employee's Medical Jacket.
 - b. Complete a Form 74S, Injured with Pay Recommendation, on all approved IWP leaves.
 9. Finalize the case in ETS.
- J. Tracking Personnel on Extended Sick or IWP Leave, or on Extended Light Duty
1. The district/section/unit commander, who has an employee in an off-duty sick status for seven or more consecutive days (counting off days), or in an extended IWP or light duty status will call or email Personnel Section on Monday between 0800 and 1200 hours and provide the employee's name and the nature of the illness or injury.
 2. Personnel Section will provide the Police Chief with a list of Department employees on extended sick or IWP leave, or on extended light duty. Personnel Section will update the list weekly.
 3. Personnel Section will function as the liaison with EHS to ensure EHS is aware of employees who are on extended sick or IWP leave, or on extended light duty in the event further medical evaluation is in order.

Capt Jones

I sent this to the

MAYOR

and Council

Thank you for your
support Bob

**St. Peter Claver Latin
School for Boys**
121 E. 13th Street
P.O. Box 14686
Cincinnati, Ohio 45250

Mark Mallory
Mayor

Dear Mr. Mallory:

We are a school in our fifth year of existence serving primarily inner city families by educating boys. We currently have K-6 grades and occupy part of the Old St. Mary's school building and also a storefront on Main Street. What with various developments occurring in Over the Rhine the young men who have nothing productive to do are moving to different corners to hang out on. This year the corner of Thirteenth and Main has been a sore spot. I believe the opening of the Art Academy is a reason. Our principal thinks the reopening of Thirteenth Street has caused this. Last month before going to a Main Street safety meeting I asked our office assistant who is also the mother of one of our boys how were the street conditions. She replied that when they walked the boys to the park they had to pass young men drinking and smoking their "weed." I relayed her comments to Captain Jones of District One at the safety meeting, who said they would do what they could.

The street situation unfortunately seemed to get worse. On Thursday, March 23rd there was a crowd in front of our building at 1208 Main Street and they became noisy. Our principal went out to quiet them down. One man confronted her in an ugly manner. Our office assistant saw this and called the police. In asking our staff it sounds like several of the ladies have been hassled. We even have a lady who has come in on Saturdays to do bookkeeping who has felt intimidated and now comes in on Sundays because it is quieter then.

I called Captain Jones. He has increased the walking patrols and his bicycle patrols in the area. It has been much better since this last trouble. We appreciate the work the District One Officers are doing.

Some of our council members know that I have been active in Over the Rhine as a real estate agent for many years and I well aware of the problems in the inner city. There are too many young men hanging out on corners with nothing productive to do. It is pretty bad when the highlight of their day is to make noise in front of a school and hassle the principal or other women. I am well aware of the city government having big plans and also of the record that the city has had. It would seem to me if the city consistently

supported the police and concentrated on public safety we would have certainly have a better place and many people would want to come here.

Will you and council please work to make the city safer?

Regards:

A handwritten signature in cursive script that reads "Bob Ketterer".

Bob Ketterer

cc: Members of Council

Linda J. Maley
10440 Farmland Dr.
Harrison, OH 45030-1700
(513)367-5230 ✓

April 15, 2006

Chief Thomas Streicher
Cincinnati Police Dept
310 Ezzard Charles Dr.
Cincinnati, OH 45214

Dear Chief Streicher;

I am writing to offer a huge thank you to one of your park police officers, Tim Doyle. I had the occasion to meet Officer Doyle Monday, April 10, 2006 while on my way to report for jury duty. I had noticed a problem with my car as soon as I exited I75 onto Hopple Street. I made it onto Central Parkway and, just as I was passing Music Hall, it began the unmistakable shaking of a flat tire. I pulled over to the curb lane, with hazard lights flashing, and began calling the towing company my husband & I use. After three calls to them with no luck, I happened to look in my rearview mirror and there was a city cruiser stopping behind me.

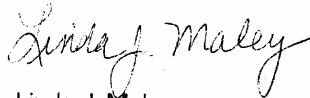
Officer Doyle came to my window asking what the problem was. I explained about the flat, jury duty and no luck reaching our tow company. He offered to call a city wrecker but wasn't sure if they would change the tire for me or would simply tow it. He said he was on the way somewhere, (court I suspect although he didn't specify), hesitated & then asked if I had a spare. I replied that I did and he then proceeded to change the tire for me. The poor man was even interrupted in that by someone needing directions.!

I have had occasions to deal with Cincinnati officers in the past, both as a private citizen and in my professional life as a

911 dispatcher for Hamilton County. I can attest to the fact that not all of those officers were as nice and friendly, not to mention willing to put themselves out for someone else, even someone in the law enforcement "family". I would ask that you convey my deep gratitude to Officer Doyle for his assistance in a situation when I truly was at a loss as to what to do and had no real help in sight. He was truly my savior at that moment in time even though, I am sure, he would not see it that way. I would also ask that this letter be put into his personnel file if permissible.

Again, please give my sincere thanks to Officer Doyle for his help and if I can ever assist you, Officer Doyle or your department in any way you have only to ask.

With sincere appreciation,

A handwritten signature in cursive script that reads "Linda J. Maley". The signature is written in dark ink and is positioned above the printed name.

Linda J. Maley



3030
Erie
Avenue
Cincinnati,
Ohio
45208-2406
(tel)
513.363.7100
(fax)
513.363.7120

March 24, 2006

Chief Thomas H. Streicher, Jr., Police Chief
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Chief Streicher,

On Saturday, February 24, 2006, Clark Montessori hosted its Clark Showcase (Talent Show). Lieutenant Anthony G. Carter, Police Officer Shawn George and Police Officer Carroll Todd graciously donated their time to enable this event be a safe and successful one. The administration, staff, students and parents greatly appreciate their generosity and their willingness to work cooperatively with the schools to provide entertainment options for teenagers. Through the dedicated efforts of individuals like the Cincinnati Police Officers, we are making a difference in the lives of Cincinnati children. Their generosity and thoughtfulness is greatly appreciated.

Sincerely,

Thomas Rothwell
Principal

Rupa Townsend
Asst. Principal



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

Cincinnati Field Office
550 Main Street
Room 10-503
Cincinnati, Ohio 45202
513/684-3585

April 6, 2006

Chief Thomas H. Streicher
Cincinnati Police Division
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Chief Streicher,

On behalf of the Cincinnati Field Office of the U.S. Secret Service I would like to thank you and the members of your department for the support provided during President Bush's visit to Cincinnati on April 3, 2006.. The size and complexity of Great American Ball Park presented many operational and logistical challenges. However, with the support of your department those challenges were successfully met. The success of the Secret Service protective mission is directly attributed to the support rendered by all levels of the public safety community and your department certainly reflects the highest standards of professionalism within our community.

I would especially like to recognize the efforts of Lt. Kim Williams, Lt. Joe Hall, Sgt. Jeff Hunt and Sgt. Greg Lewton. Please commend these officers for their exemplary duty during this assignment.

Again thank you for your support and your continued partnership.

Sincerely,

Kurt D. Douglass
Special Agent in Charge



HAMILTON COUNTY, OHIO
Founded 1795

POLICE DEPARTMENT

1130 COMPTON ROAD
CINCINNATI, OHIO 45231
Phone (513) 729-1300
Fax (513) 729-2106
www.springfieldtwp.org

Trustee
Tom Bryan

Trustee
Joseph Honerlaw

Trustee
Gwen McFarlin

Fiscal Officer
John Waksmundski

Township Administrator
Michael T. Hinnenkamp

Law Director
Laura A. Abrams

Police Chief
David J. Heimpold

Recreation Director
Melanie McNulty

Service Director
John B. Musselman

Development Services Director
Christopher D. Gilbert

Fire Chief
Robert Leininger

Senior/Community
Services Director
Sally Scigliuolo

April 7, 2006

Col. Thomas Streicher
Cincinnati Police Division
310 Ezzard Charles Drive
Cincinnati, OH 45214

Dear Col. Streicher:

On Tuesday, April 4, 2006, the Springfield Township Police Department was notified of an Aggravated Murder offense which occurred in the Galbraith Pointe Apartments in Springfield Township. As part of the initial investigation, a radio broadcast was initiated for the purposes of locating a vehicle seen leaving the offense. This vehicle was located by District Four Police Officer Don Meece in the Avondale area of the City of Cincinnati. Police Officer Meece immediately notified the Springfield Township Police Department while maintaining surveillance of the vehicle. Upon further investigation Police Officer Meece's efforts in locating this vehicle assisted in the apprehension of three potential suspects.

After the apprehension of these three potential suspects, the Springfield Township Police Department began the process of obtaining a search warrant for a residence in the Avondale area. After conferring with the on-duty Night Chief, Capt. Gene Hamann, our officers spoke with Lt. Douglas Ventre and began the coordination of executing the search warrant. Prior to the execution of the search warrant I met with Lt. Ventre and other members of Cincinnati Police Division SWAT team.

After executing the search warrant it became apparent that searching the residence for vital evidence would be a monumental task. Lt. Ventre offered the assistance of the Cincinnati Police Division's crime scene unit. Two members of this unit promptly responded to the scene and provided valuable assistance in completing the task of searching the residence where pertinent was

recovered. Lt. Col. Janke also responded to the scene and again offered any necessary assistance.

On behalf of Chief David J. Heimpold and the entire Springfield Township Police Department, I would like to express my appreciation to you and the members of your staff for the invaluable assistance that was provided during this incident. This cooperative effort proved to be a model example of response to violent crime by law enforcement professionals.

Sincerely,

Lt. Col. Robert Browder

Lt. Col. Robert Browder

RB/nld
